

IN RE: PETITION FOR ZONING VARIANCE
E/S Summer Park Drive, 450' S
of the c/l of Upton Drive
(9114 Summer Park Drive)
11th Election District
6th Councilmanic District

Thomas A. Back, et ux
Petitioners

ORDER OF DISMISSAL

Pursuant to the receipt of a written request for withdrawal from the Petitioners,

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of July, 1991 that the Petition for Zoning Variance in the above-captioned matter be and is hereby DISMISSED without prejudice.

J. Robert Heine
ZONING COMMISSIONER
for Baltimore County

JOINED by:
Mr. & Mrs. Thomas A. Back
9114 Summer Park Drive, Baltimore, Md. 21234
People's Counsel
File

ORDER RECEIVED FOR FILING
Date 7/11/91
By [Signature]

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1801.2C-1 for a height to height distance between facing elevations of 16' in lieu of the required 25'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (indicate hardship or practical difficulty)

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 3 day of June, 1991, that the subject matter of this petition be posted on the property on or before the 19 day of June, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 3 day of June, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 3 day of June, 1991, at 10 o'clock, AM.

ORDER RECEIVED FOR FILING

Date 7/11/91
By [Signature]

ZONING COMMISSIONER OF BALTIMORE COUNTY

HARDSHIP AND PRACTICAL DIFFICULTY 91-477-A

Dr. David Newcombe of the Johns Hopkins Rheumatology Clinic advised my father (Mr. Joseph J. Back) not to be alone, due to diagnosis of Scleroderma, a rare progressive degenerative disease. He also diagnosed arthritic knees, and the right knee had a complex meniscus tear, which required surgery (March 15, 1991) adding to the stress caused due to the death of his wife, and my mother on December 1, 1990.

Based on this information, I, Thomas A. Back and my spouse Kathryn H. Back would like to house my father with us. However, due to limited space, it would not be practical. In view of these facts, we are requesting this variance in order to afford us the opportunity to house my father, Mr. Joseph J. Back. Due to the condition of his knees, which can collapse at anytime, it is advisable to keep him on the first level where there are no steps and all necessities would be accessible to him.

Future progressions of the disease must be awaited. Since my spouse Kathryn H. Back is a registered nurse, we would be well equipped to handle future problems. For these reasons we are requesting the variance for the residential house addition.

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-477-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at 9114 SUMMER PARK DRIVE, BALTIMORE, MARYLAND 21234 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Thomas A. Back
AFFIANT (Handwritten Signature)
THOMAS A. BACK
AFFIANT (Printed Name)

Kathryn H. Back
AFFIANT (Handwritten Signature)
KATHRYN H. BACK
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31 day of MAY, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared THOMAS A. BACK & KATHRYN H. BACK

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

DATE 5-31-91

[Signature]
NOTARY PUBLIC

My Commission Expires: July 1992

HYDROGRAPHY
TOPOGRAPHY
GEODESY

LEO W. RADER
REGISTERED PROFESSIONAL SURVEYOR

SUBDIVISION
ENGINEERING
TITLE SURVEYS
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093 301-252-2920

91-477-A
May 23, 1991

DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE
9119 SUMMER PARK DRIVE

BEGINNING for the same on the southeast side of Summer Park Drive on the division line between No. 9119 and No. 9121 Summer Park Drive, distant 350 feet, more or less from the centerline of Upton Road, thence running South 59 degrees 06 minutes 56 seconds East 100.00 feet, South 30 degrees 53 minutes 04 seconds West 57.00 feet, North 59 degrees 06 minutes 56 seconds West 100.00 feet and North 30 degrees 53 minutes 04 seconds East 57.00 feet to the place of beginning.

BEING Lot No. 34 Section 1 Site 2 as shown on the plat of "Upton Village" recorded in Baltimore County Plat Book No. 41 Folio 129. Election District 11

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: 8-001-4150
Number: 464

6/02/91

	QTY	PRICE
010 -ZONING VARIANCE (IRL)	1 X	\$35.00
080 -POSTING SIGNS / ADVERTISING	1 X	\$25.00
	TOTAL:	\$60.00

LAST NAME OF OWNER: BACK

04A0460111NICHRC \$60.00
Please Make Checks Payable To: Baltimore 604011127AM04-03-91

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

Mr. & Mrs. Thomas A. Back

9119 Summer Park Drive
Baltimore, Maryland 21234

Re: CASE NUMBER: 91-477-A

LOCATION: W/S Summer Park Drive, 350' S of c/l Upton Drive
9119 Summer Park Drive

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 26, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is July 11, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. S. Stephens
(301) 887-3391

COPY

MR. THOMAS BACK
9119 SUMMER PARK DR.
BALTIMORE, MD 21234

OFFICE OF PLANNING & ZONING
111 W. CHESAPEAKE AVE
TOWSON, MD 21204

Case # 91-477-A

Re: To Whom It May Concern.

Due To The Recent Death Of My Father (Joseph J. Back), We Would Like To WITHDRAW OUR PETITION FOR RESIDENTIAL ZONING VARIANCE. Since He Has Passed Away, We Have No Need To Build A Room Which Would Not Be Occupied By Him. We were Applying For The VARIANCE To Accommodate My Father And Care For Him. We Have No Need For This Now!

Thank You
Thomas A. Back
Kathryn H. Back

CASE NUMBER

91-477-A

PETITIONER'S EXHIBIT #



CASE NUMBER

91-477-A

PETITIONER'S EXHIBIT #

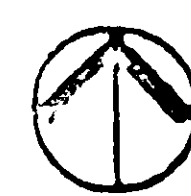
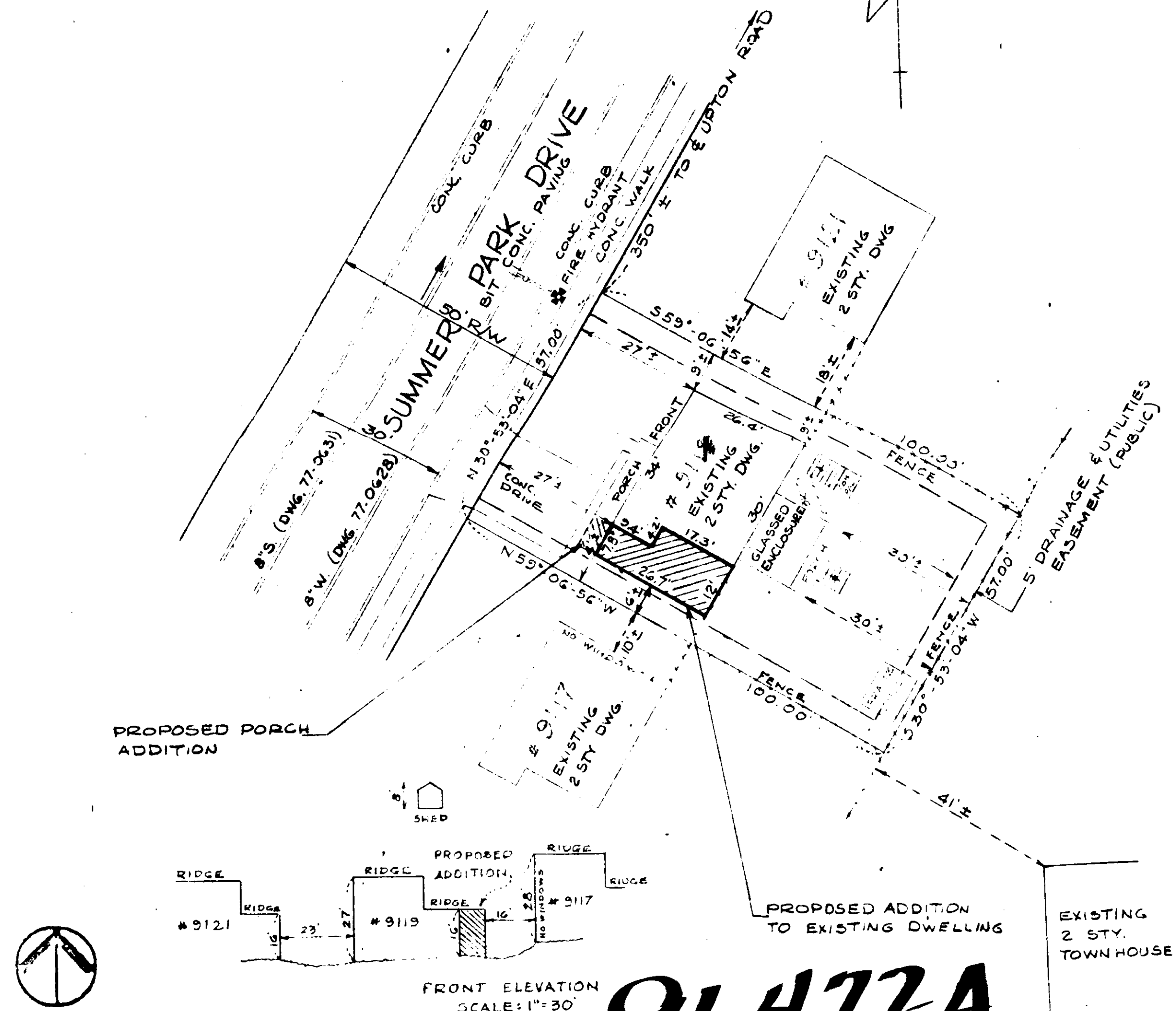


Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 9119 SUMMER PARK DRIVE

Subdivision name: "UPTON VILLAGE"
plat book # 41, folio # 129, lot # 34, section # 1 SITE 2

OWNER: THOMAS & KATHRYN BACK



North

date: APR. 19, 1991

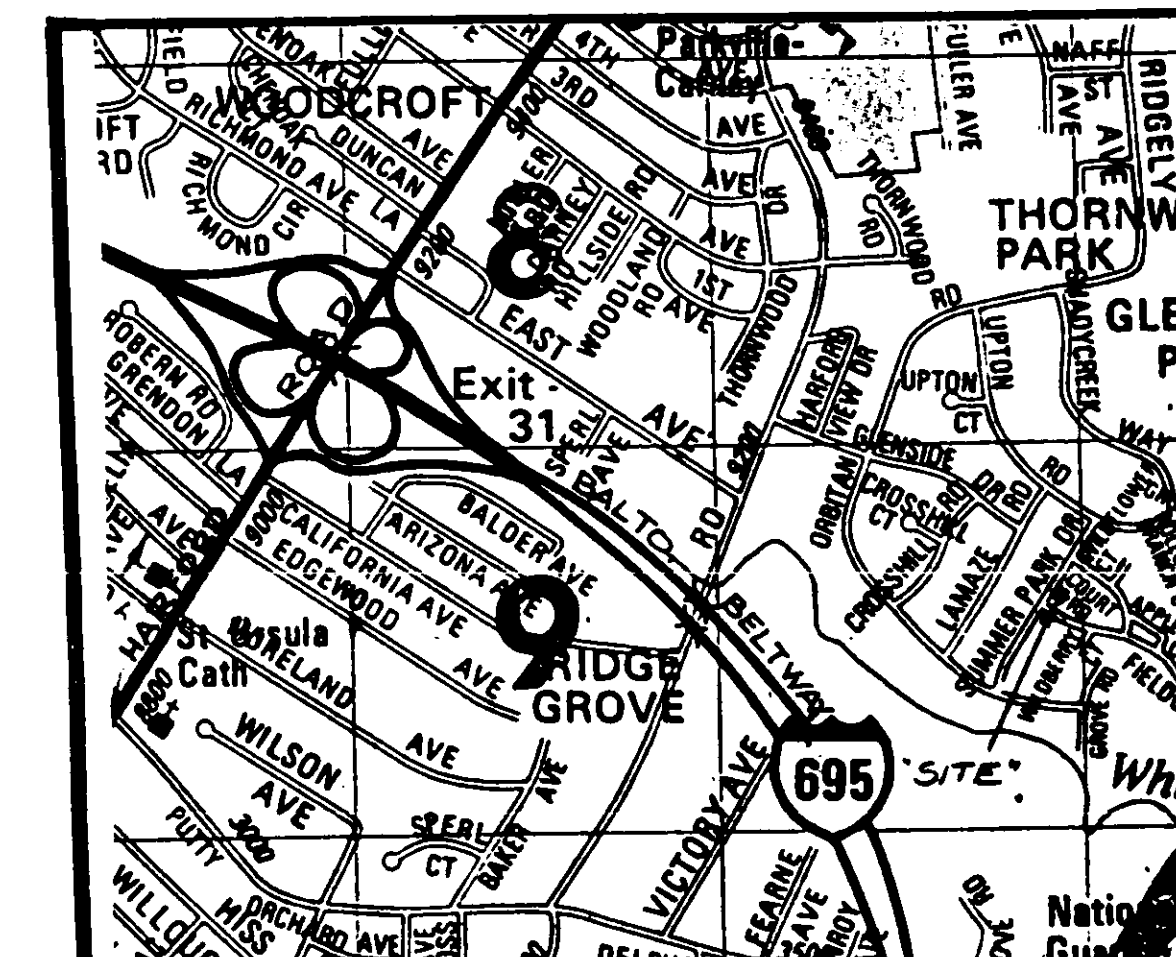
prepared by: L. W. Rader

L. W. RADER
REAL ESTATE SURVEYOR
1001 WEST ROAD
FARMINGTON, MARYLAND 21094
(301) 252-2929

FRONT ELEVATION
SCALE: 1"=30'

91-477-A

Scale of Drawing: 1"= 20'



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Councilmanic District: NO. 6

Election District: 10, 11

1"=200' scale map #: NE 9E

Zoning: DR 5.5

Lot size: 0.131 ± acreage 5700 square feet

SEWER: ☒ public ☐ private
WATER: ☒ yes ☐ no

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE #:

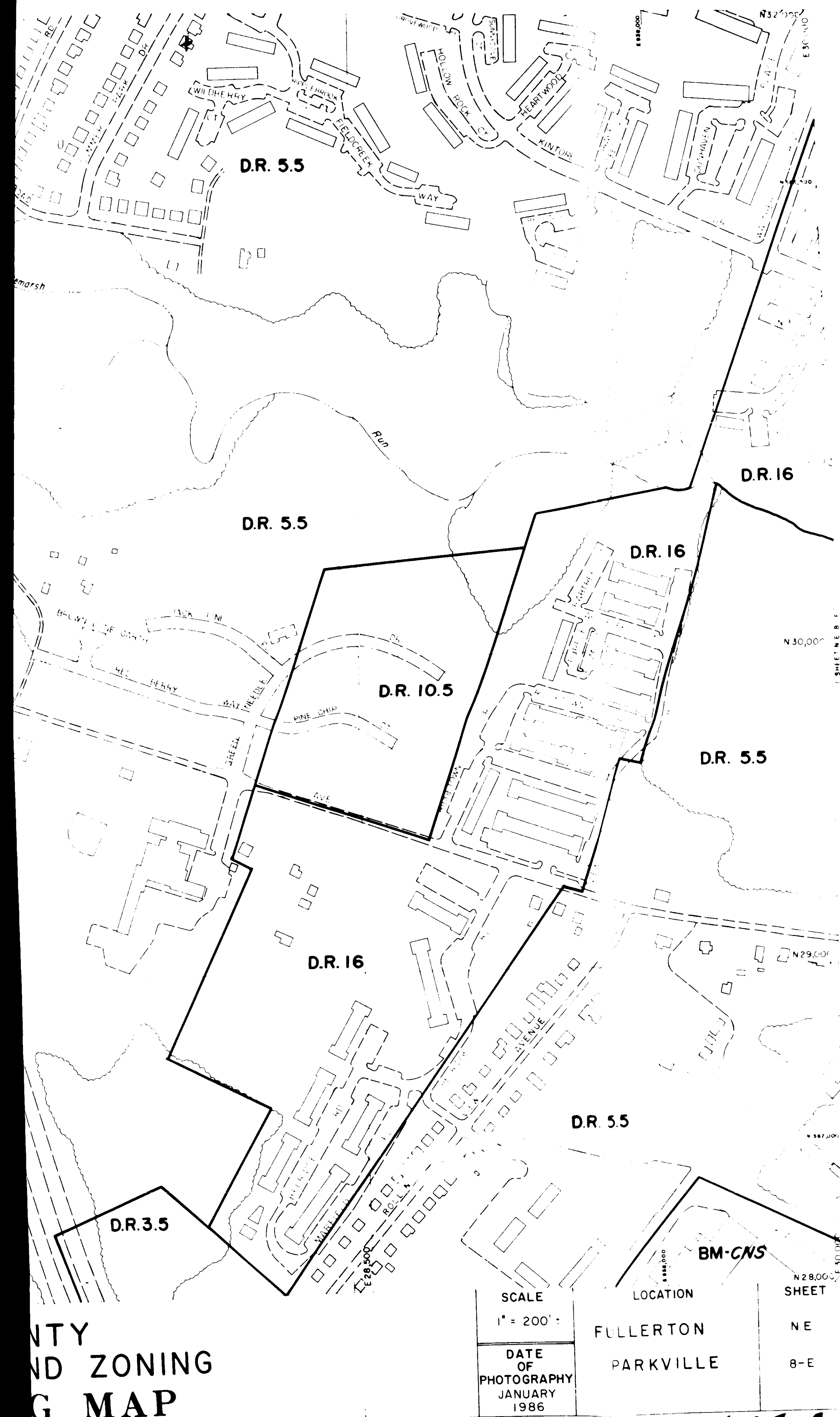
LJG

464



E COUNTY
NING AND ZONING **91-477-A**
PHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	FULLERTON PARKVILLE	N.E. 8-E
DATE OF PHOTOGRAPHY JANUARY 1986		



NTY
ND ZONING
G MAP

91-477-A
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